

UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Eric C. Grimm,

Plaintiff,

vs.

Civil Action No. 1:17-cv-654

Raw Story Media, Inc., The Herald Publishing Company, LLC, MLive Media Group, f/k/a Booth Newspapers, Inc., Newslo, Stephen Kloosterman, Kevin Even, Paul Shibley, Brianna Scott, David Bossenbroek, Matt J. Roberts, David Shafer, Barton Dieters, Gregory C. Pittman, Williams Hughes, PLLC, Douglas Hughes, Theodore N. Williams, Jr, Timothy Hicks, William Marietti, Kathy Hoogstra, Robert Carter, Raymond Kostrzewa, Linnea Kostrzewa, Mark T. Boonstra, Neil Mullally, Vicki Broge, and the County of Muskegon,

Defendants.

Hon. Gordon J. Quist  
United States District Judge

Hon. Phillip J. Green  
United States Magistrate Judge

**BRIEF IN SUPPORT OF DEFENDANT  
KEVIN EVEN'S MOTION TO DISMISS  
PURSUANT TO FED. R. CIV. P. 12(b)(6)**

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**BRIEF IN SUPPORT OF DEFENDANT KEVIN EVEN’S MOTION TO DISMISS  
PURSUANT TO FED. R. CIV. P. 12(b)(6)**

Defendant, Kevin Even, moves to dismiss Plaintiff’s claims against him pursuant to Fed. R. Civ. P. 12(b)(6), and hereby adopts by reference the briefing filed on October 17, 2017 by similarly situated Defendants Hicks, Hoogstra, Kostrzewa, Marietti, Mullally, Muskegon County, Pittman, and Roberts; the briefing filed on November 2, 2017 by Defendants Kloosterman, MLive Media Group, and The Herald Publishing Company, LLC; and the briefing filed on November 6, 2017 by Defendants Hughes and Williams Hughes, PLLC. Like various of the other Defendants, while Plaintiff’s First Amended Complaint makes passing reference to Kevin Even, Plaintiff fails to state a claim upon which relief can be granted. Accordingly, Kevin Even respectfully requests that the Court dismiss Plaintiff’s claims against him with prejudice for the reasons already articulated by the similarly situated Defendants.

Respectfully Submitted,

RHOADES McKEE PC  
Attorneys for Defendant Kevin Even

Dated: November 27, 2017

By: /s/ Paul A. McCarthy  
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